

Notice of Determination
NPDES Permit to Operate a Concentrated Animal Feeding Operation
D and R Farms – Lutts, Wayne County, Tennessee – NPDES Permit Number TN0078166

March 19, 2004

I. Background

The Division of Water Pollution Control (the division) received an application for NPDES permit from D and R Farms located in Lutts, TN, on June 27, 2003. On December 15, 2003 the division gave public notice of a draft NPDES permit and scheduled a public hearing for February 26, 2004.

II. Report of Hearing

The applicants, representatives of Natural Resources Conservation Service, the swine industry and the county government attended the hearing on February 26, 2004. No oral comments were made. Written comments were received prior to the hearing. The comment period closed ten days later.

III. Comments and Responses to Comments

Comment


A single written comment was received suggesting that land application of waste from swine production is not the preferred method of discharge. The commenter recommended a secondary wastewater treatment plant as an alternative.

Response

Land application of manure in accordance with NPDES permits does not result in any direct discharges of manure into the waters of the state. Land application, done in accordance with permit requirements and applicable state and federal rules and guidelines entails establishing and maintaining buffer zones between the fields and surface waters, wells and adjoining properties to prevent discharge to waters. Furthermore, D and R Farms is required to adhere to provisions of the nutrient management plan so as to prevent over-application of nutrients to the receiving fields. By doing so, D and R Farms will prevent introduction of nutrients to waters. Conversely, treating the manure in a biological treatment plant would result in a constant discharge of wastewater, that though treated, still would contain nutrients. Additionally, biological treatment would also produce a sludge that would ultimately be land applied. For these reasons, the division believes that the NPDES permit should require land application of manure as opposed to treatment and discharge.

The division's determination is to issue TN0078166 as drafted.

Date: 3/19/04


Saya Ann Qualls, P.E.
Manager, Permit Section